

AMENDED IN SENATE JUNE 26, 2003

AMENDED IN ASSEMBLY JUNE 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 658**

**Introduced by Assembly Member ~~Members Nakano and Jerome Horton~~**

February 19, 2003

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~~An act to add and repeal Section 19613.9 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor. An act relating to local government reorganization and declaring the urgency thereof, to take effect immediately.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 658, as amended, ~~Jerome Horton Nakano. Horse racing: board study of industry. Local government reorganization.~~

*Existing law concerning reorganization proceedings for cities specifies the time periods within which the local agency formation commission is required to give notice of protest hearings and to conduct those hearings on its approval of a proposed reorganization.*

*This bill would revise those time periods as specified with respect to a proposed reorganization consisting of the detachment of specified federal military property from the City of El Segundo and its annexation to the City of Hawthorne.*

*This bill would make legislative findings and declarations that a special law is necessary.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

Existing law for horse racing is administered by the California Horse Racing Board. That law provides for the deduction of a portion of the parimutuel pool, and provides for the allocation of the purse money and money for commissions from this deduction.

This bill would, until January 1, 2005, require every association that conducts a horse racing meeting to distribute an unspecified percentage of the deduction for commissions to the board, which money would be appropriated to the board for the purpose of preparing a study on the current and future status of the California horse racing industry, to be submitted to the Governor and the Legislature.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes—no. Fiscal committee: yes—no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1    ~~SECTION 1. Section 19613.9 is added to the Business and~~  
2    ~~Professions Code, to read:~~

3    ~~19613.9. From the portion deducted for commissions~~  
4    ~~pursuant to this chapter, every association that conducts a horse~~  
5    ~~racing meeting shall distribute \_\_\_\_\_ percent to the board, which~~  
6    ~~money is hereby appropriated to the board for the purpose of~~  
7    ~~preparing a study on the current and future status of the California~~  
8    ~~horse racing industry. The study shall be submitted to the~~  
9    ~~Governor and the Legislature.~~

10    ~~(b) This section shall remain in effect only until January 1,~~  
11    ~~2005, and as of that date is repealed, unless a later enacted statute,~~  
12    ~~that is enacted before January 1, 2005, deletes or extends that date.~~

13  
14    *SECTION 1. For the purposes of a proposed reorganization*  
15    *consisting of the detachment of approximately 40 acres of federal*  
16    *military property from the City of El Segundo and the annexation*  
17    *of that detached territory to the City of Hawthorne, after the local*  
18    *agency formation commission has approved the proposal, the*  
19    *commission shall conduct proceedings pursuant to Part 4*  
20    *(commencing with Section 57000) of Division 3 of Title 5 of the*  
21    *Government Code except as follows:*

22    *(a) The commission shall set the proposal for hearing and give*  
23    *notice of that hearing as provided in Chapter 4 (commencing with*  
24    *Section 56150) of Part 1 of Division 3 of Title 5 of the Government*



1 *Code except that notice shall be made at least 15 days prior to the*  
2 *date specified in the notice for hearing.*

3 *(b) Notwithstanding Section 57002 of the Government Code,*  
4 *the executive officer of the commission shall set the proposal for*  
5 *hearing and give notice of that hearing within 15 days following*  
6 *the adoption of the commission's resolution making*  
7 *determinations on the proposal.*

8 *(c) Notwithstanding Sections 57002 and 57050 of the*  
9 *Government Code, or any other provision of Division 3*  
10 *(commencing with Section 56000) of Title 5 of the Government*  
11 *Code, the date of the hearing shall not be less than 15 days nor*  
12 *more than 25 days after the date the notice is given. The hearing*  
13 *may be continued from time to time but not to exceed five days from*  
14 *the date specified for the hearing in the notice.*

15 *(d) Notwithstanding Section 57075 of the Government Code,*  
16 *the commission, not more than 15 days after the conclusion of the*  
17 *hearing, shall make a finding regarding the value of written*  
18 *protests filed and not withdrawn and take one of the actions*  
19 *specified in Section 57075.*

20 *SEC. 2. The Legislature finds and declares that a special law*  
21 *is necessary and that a general law cannot be made applicable*  
22 *within the meaning of Section 16 of Article IV of the California*  
23 *Constitution because of the unique circumstances surrounding the*  
24 *status of Los Angeles Air Force Base. The facts constituting the*  
25 *special circumstances are as follows:*

26 *The threat of the closure of Los Angeles Air Force Base is real*  
27 *and imminent. In order to facilitate the plans of a partnership of*  
28 *the United States Air Force, the cities of El Segundo and*  
29 *Hawthorne, and private developers to preserve this vital*  
30 *component of the nation's homeland defense, military and*  
31 *intelligence capabilities, and partnerships with neighboring*  
32 *private aerospace companies, it is necessary to establish expedited*  
33 *reorganization procedures for the detachment and annexation of*  
34 *this federal military property.*

35 *SEC. 3. This act is an urgency statute necessary for the*  
36 *immediate preservation of the public peace, health, or safety*  
37 *within the meaning of Article IV of the Constitution and shall go*  
38 *into immediate effect. The facts constituting the necessity are:*

39 *In order for reorganization proceedings for the detachment of*  
40 *certain federal military property from the City of El Segundo and*

1 *the annexation of that territory to the City of Hawthorne to be*  
2 *completed in a timely manner that will permit compliance with*  
3 *federal proceedings affecting that territory, it is necessary that this*  
4 *act go into effect immediately.*

